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## FACSIMILE TRANSMISSION COVER SHEET

TO: Examiner D.J. Isabella

COMPANY: USPTO

FACSIMILE NUMBER: 571-273-8300

FROM: Brian S. Tomko

TELEPHONE NO.: 732-524-2823

DATE: December 13, 2005

FACSIMILE NUMBER: 732-524-5575

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 20

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## COMMENTS:

Docket No.: HRT0293

Application No.: 10/099,690

## THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATES STAMPED HEREON:

- |   |  |
|---|--|
| <input type="checkbox"/> Oath of Declaration                          | <input type="checkbox"/> Drawings _____ sheets                                 |
| <input type="checkbox"/> Assignment                                   | <input type="checkbox"/> MPEP 609/_____  |
| <input type="checkbox"/> Response                                     | <input type="checkbox"/> Notice of Appeal                                      |
| <input type="checkbox"/> Fee Transmittal                              | <input type="checkbox"/> Brief   |
| <input checked="" type="checkbox"/> Charge to Deposit Account 10-0750 | <input type="checkbox"/> Priority Document                                     |
| <input type="checkbox"/> Amendment                                    | <input type="checkbox"/> Status Inquiry  |
| <input type="checkbox"/> Extension of time                            | <input type="checkbox"/> Sequence Listings/Diskette                            |
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| <input type="checkbox"/> PCT Filing _____                             | <input checked="" type="checkbox"/> Other Request for Copies of Completed Form |
|   | PTO-1449 & copies of IDS, dated 3/5/04,  |
|   | 11/11/03 and 11/25/03  |
- ☐ IDS-Form 1449

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE SOLELY TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

DEC 13 2005

Docket No. HRT0293

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John H. Stevens, et al.

Application No.: 10/099,690

Group No.: 3738

Filed: March 15, 2002

Examiner: D.J. Isabella

For: Method and Apparatus for Thoracoscopic Intracardiac Procedures

## CERTIFICATION UNDER (37 C.F.R. § 1.8(A))

I hereby certify that, on the date shown below, this correspondence is being:

## Mailing

☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date:

## Facsimile

☒ transmitted by facsimile to the Patent and Trademark Office.Signature: /Brian S. Tomko/

Brian S. Tomko, Reg. No. 41,349

Assistant Commissioner for Patents  
Washington, D.C. 20231REQUEST FOR COPIES OF COMPLETED FORM PTO-1449

1. The Notice of Allowability mailed on September 20, 2005 has been received.
2. Applicants have not received copies of Information Disclosure Statements (PTO-1449), mailed on or about 5 March 2004, 11 November 2003 and 25 November 2003 that indicate that the Examiner considered them. Applicants attach a copy of each of the IDS's referenced to above.
3. It is respectfully requested that a copy of the completed Form PTO-1449 be furnished to the undersigned.

/Brian S. Tomko/  
Brian S. Tomko  
Reg. No. 41,349Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
Tel: (732) 524-1239  
Date: December 13, 2005  
Customer No. 000027777



57388

Docket No. HRT-293

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
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DEC 13 2005

Applicants : Stevens et al.

Serial No. : 10/099,690

Art Unit: 3738

Filed : March 15, 2002

Examiner: D. Isabella

For : METHOD AND APPARATUS FOR THOROSCOPIC PROCEDURES

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

3/3/04  
(Date of deposit)

Brian S. Tomko

(Name of applicant, assignee, or Registered Representative)

03/09/2004 HLE333 00000025 100750 10099690

01 FC:1806 180.00 DA

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(Signature)

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3/3/04  
(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 20231

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure  
Statement mailed on November 25, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R.  
§§1.97-1.98, information relating to the above-identified  
application is hereby disclosed. Inclusion of information in this  
statement is not to be construed as an admission that this  
information is material as that term is defined in 37 C.F.R.  
§1.56(b).

Applicant(s) reserve(s) the right to establish the  
patentability of the claimed invention over any of the information  
provided herewith, and/or to prove that this information may not  
be prior art, and/or to prove that this information may not be  
enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached);  
or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached);  
or
- ☒ Please charge Deposit Account No. 10-0750/HRT293/BST the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: Japanese Patents 58-146339, 50-103199, and 3-198829, correspond to US Patent Nos. 4,529,397, 3,890,969 and 4,972,827 respectively, as listed on the attached Form 1449.

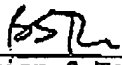
☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/HRT-293/BST. This form is submitted in triplicate.

Respectfully submitted,

  
\_\_\_\_\_  
Brian S. Tomko  
Reg. No. 41,349  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-1239  
DATED:

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

<b>Application Number</b>	10/099,890
<b>Filing Date</b>	March 15, 2002
<b>First Named Inventor</b>	Stevens
<b>Group Art Unit</b>	3739
<b>Examiner Name</b>	D. Isabella
<b>Attorney Docket Number</b>	HRT-293

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		4,529,397		Hannemuth	07-18-1985	
		3,890,969		Fischel	06-24-1975	
		4,972,827		Kishi	11-27-1990	
		1,127,325		Vaudain	02-02-1915	
		4,702,250		Ovil	10-27-1987	

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MAR 11 2004  
TECHNOLOGY CENTER R3200

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1450**

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Docket No. HRT-0293

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stevens et al.

Serial No. : 10/099,690

Art Unit: 3738

Filed : March 15, 2002

Examiner: D. Isabella

For : Method and Apparatus for Thoracoscopic Procedures

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United States Postal Service as first class mail in an envelope addressed  
to: Commissioner For Patents, Washington, D.C. 20231 on

November 25, 2003

(Date of Deposit)

Brian S. Tomko

(Name of Applicant, Assignee, or Registered Representative)

(Signature)

March 15, 2002

(Date of Signature)

Commissioner for Patents  
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.



This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

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☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

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☒ There are no listed references which are not in the English language.


☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/HT-0293/BST. This form is submitted in triplicate.

Respectfully submitted,

  
\_\_\_\_\_  
Brian S. Tomko  
Reg. No. 41,349  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-1239  
DATED: November 25, 2003



PTO/GB/08A (08-00)  
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

<b>Application Number</b>	10/099,690
<b>Filing Date</b>	3/15/02
<b>First Named Inventor</b>	Stevens et al.
<b>Group Art Unit</b>	3738
<b>Examiner Name</b>	D. Isabella
<b>Attorney Docket Number</b>	HRT0293

[illegible]

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Docket No. HRT0293

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stevens et al.

Serial No. : 10/099,690

Art Unit: 3738

Filed : March 15, 2002

Examiner: D. Isabella

For : Method and Apparatus for Thoracoscopic  
Intracardiac Procedures

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November 11, 2003

(Date of Deposit)

Brian S. Tomko

(Name of applicant, assignee, or Registered Representative)

(Signature)

November 11, 2003

(Date of Signature)

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Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

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☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

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☐ The relevance of those listed references which are not in the English language is as follows:

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Respectfully submitted,

  
\_\_\_\_\_  
Brian S. Tomko  
Reg. No. 41,349  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-1239  
DATED: November 11, 2003



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Under the Paperwork  
form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

PTO/SB/DEA (08-00)

Approved for use through 10/31/2002. OMB 0351-0031

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
No a collection of information unless it displays a valid OMB control number

<b>Application Number</b>	10/089,690
<b>Filing Date</b>	3/15/02
<b>First Named Inventor</b>	John H. Stevens
<b>Group Art Unit</b>	3738
<b>Examiner Name</b>	D. Isabella
<b>Attorney Docket Number</b>	HRT-0293

## U.S. PATENT DOCUMENTS

[illegible]

**FOREIGN PATENT DOCUMENTS**

[illegible]

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

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Approved for use through 10/31/2002. OMB 0851-0031

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Substitute for Form 1448 APTD

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Write as many sheets as necessary)

Sheet 1 of 2

Application Number	10/099,690
Filing Date	3/15/02
First Named Inventor	John H. Stevens
Group Art Unit	3738
Examiner Name	D. Isabella
Attorney Docket Number	HRT0293

## **OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issu number(s), publisher, city and/or country where published	T <sup>2</sup>
		Allot et al., "Mahaim tachycardias", European Society of Cardiology, 1998, No. 19, pp. E-25-E31.	
		Bredikis et al., "Laser Surgery of Heart Pathways", Kardiologiya, No 5/1985, 88-89	
		Bredikis et al., "Cryogenic and laser techniques in closed heart surgery of ectopic atrial tachycardia" (Abstract), J. Cardiovasc Surg., 29, 1988, p. 54	
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